

C L O S E D

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Source Search Technologies, LLC,
Plaintiff,

Civ. No. 04-4420 (DRD)

v.

O R D E R

LendingTree, LLC,
IAC/InterActiveCorp, and
ServiceMagic, Inc.,
Defendants.

Plaintiff, Source Search Technologies, LLC (“Source Search”) and Defendants, Lending Tree, LLC (“Lending Tree”), IAC/Interactivecorp, and Service Magic, Inc. (collectively, “Defendants”), having filed a series of motions and cross-motions addressing the issues of infringement, indefiniteness, obviousness and willfulness; and the court having heard argument of counsel and having reviewed the submissions of counsel; and for the reasons set forth in an opinion of even date:

IT is this 8th day of July, 2008, hereby

ORDERED as follows:

1. Lending Tree’s motion for summary judgment that it does not infringe U.S. Patent No. 5,758,328 (“the ‘328 patent”) is DENIED;
2. Source Search’s motion for summary judgment that Lending Tree infringes

claims 1-3 and claims 13-14 of the '328 patent is GRANTED;

3. Defendants' motion for summary judgment that the '328 patent is invalid for indefiniteness is DENIED;

4. Source Search's motion for summary judgment that the '328 patent is not invalid for indefiniteness is GRANTED;

5. Source Search's motion for summary judgment that the '328 patent is not invalid for obviousness is DENIED;

6. Defendants' motion for summary judgment that the '328 patent is invalid for obviousness is GRANTED.

7. Defendants' motion for summary judgment of no willfulness is DISMISSED as moot.

8. Source Search's motion to strike the supplemental report of Defendants' expert, Dr. Walter Scacchi, is DENIED.

/s/ Dickinson R. Debevoise
DICKINSON R. DEBEVOISE, U.S.S.D.J.